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PART—I

Notifications, Orders and Declarations by Haryana Government

STATE ELECTION COMMISSION HARYANA

NIRVACHAN SADAN, PLOT NO. 2, SECTOR 17, PANCHKULA

Order

The 23rd June, 2017

No. SEC/2E-II/2017/1979.— The General Elections of Zila Parishad, Karnal were held in January, 2016 and the results of the elected candidates was declared on 28.01.2016.

2. As per provisions contained in the Haryana Panchayati Raj Election Expenditure (Maintenance and Submission of Accounts) Order, 1996, every candidate contesting election to the post of Member of Zila Parishad shall have to maintain day to day election expenditure account in accordance with the procedure laid down in paras 4, 5 and 6 of these orders and shall have to lodge his account of election expenses within 30 days from the date of declaration of result of the election in the prescribed format with the Deputy Commissioner-cum District Election Officer (Panchayat) or any other officer as specified by the Commission. The total of the expenditure shall not exceed such amount as may be notified by the State Election Commission from time to time.

3. Para 11 of these orders provides that if the State Election Commission is satisfied that a person—

- (a) has failed to lodge an account of election expenses, within the time and in the manner required by or under this Act, and
- (b) has no good reason or justification for the failure the State Election Commission shall, by order published in the Official Gazette, declare him to be disqualified and may such person shall be disqualified for a period of three years from the date of the order.

4. The Commission, *vide* its notification No, SEC/2E-II/2015/5782, dated 03-06-2015 prescribed the limit of expenditure of Rs. 2,00,000/- that may be incurred by the contesting candidate or his authorized agent in connection with election of Member Zila Parishad,

5. As reported by the Deputy Commissioner-cum District Election Officer, Karnal through his letter No. 633/Panchayat, dated 24.01.2017 that 154 contesting candidates of Zila Parishad, Karnal failed to submit their election expenditure statement within the prescribed time. The Commission had served a show cause notice upon them to explain to why they should not be disqualified on account of non submission of election expenditure account within the prescribed period. I had given an opportunity of personal hearing to 31 candidates in my office chamber on 14.06.2017 in the interest of justice, Sh. Dalel Singh, Assistant represented the Deputy Commissioner, Karnal.

6. The candidates mentioned below appeared in person and had submitted their submissions explaining the reasons for not submitting their election expenditure statement:-

क्रम संख्या	सर्व श्री / श्रीमति	गांव का नाम	वार्ड नं०
1.	गिरधारी लाल	दयानगर	07
2.	बलबीर चन्द	निगदू	07
3.	रीना रानी	भूखा पुरी	07
4.	विक्रमजीत कौर	रमाना-रमानी	08
5.	विक्रम सिंह	अमुपुर	08
6.	परविन्द्र	गोन्दर	09
7.	बलबीर सिंह	गोन्दर	09
8.	महीपाल	गोन्दर	09
9.	रोहताश कुमार	साम्पली	09
10.	शशीकान्त	गोन्दर	09
11.	शिशपाल	गोन्दर	09
12.	सतविन्द्र	बरास	09
13.	जयभगवान	दादुपुर रोड़ान	10
14.	राममेहर	मन्जूरा	10
15.	सतनाम सिंह	काछवा	10

During the course of personal hearing the above 15 candidates have submitted their election expenditure statement. I have gone through the submissions made by them and the facts available on the record, Taking a lenient view, I order to accept election expenditure statement of these candidates.

7. The following candidates did neither responded to the show cause notice nor appeared before me.

क्रम संख्या	सर्व श्री / श्रीमति	गांव का नाम	वार्ड नं०
1.	कृष्णपाल	डाबरथला	07
2.	नीता रानी	बोहला खालसा	07
3.	फूल चन्द	रायसन	07
4.	रिन्टू कुमार	निगदू	07
5.	सलिन्द्र सिंह	बुढ़ेड़ा	07
6.	जसबीर सिंह	गुनियाना	08
7.	गीता देवी	साम्पली	09
8.	निर्मल सिंह	बरास	09
9.	परमजीत कौर	साम्पली	09
10.	सुभाष	साम्पली	09
11.	जोगिन्द्र सिंह	काछवा	10
12.	दिनेश कुमार	काछवा	10
13.	सुनील कुमार	सिरसी	10
14.	सोमदत्त	मन्जूरा	10
15.	संदीप कुमार	चिड़ाव	10

Therefore, it can be concluded that these above 15 candidates have nothing to say in the matter. Hence, they deserved to be disqualified. I, Dr. Dalip Singh, State Election Commissioner, Haryana, in exercise of powers vested under Article 243 K of the Constitution of India and Section 212 of the Haryana Panchayati Raj Act, 1994 and all other powers enabling it in this behalf hereby order that the above fifteen candidates mentioned in para 7 be disqualified for being chosen as, and for being a member of Panchayats i.e. Gram Panchayat, Panchayat Samiti and Zila Parishad **for a period of three years** from the date of this order.

8. Sh. Sunil Dutt from ward No. 8 did not appear because he was under treatment in Civil Hospital-Karnal. His brother appeared and submitted Medical prescription. Allowed. Another opportunity given. The candidate is directed to appear for personal hearing on 28-07-2017.

9. I further directs that a copy of this order be sent to all the candidates mentioned in para 6 and 7 above through Deputy Commissioner-cum-District Election Officer, Karnal.

10. I further direct that a copy of this order be hosted on website of the Commission www.secharyana.gov.in.

Panchkula:
The 14th June, 2017.

DR. DALIP SINGH,
State Election Commissioner, Haryana.